

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

A.J., et al.,

Plaintiffs,

v.

MASP, LLC,

Defendant.

CIVIL ACTION FILE
NO. 1:23-CV-04247-JPB

ORDER SETTING VIDEO-CONFERENCE MEDIATION

A video-conference mediation in this case is set for **Wednesday, October 29, 2025, beginning at 10:00 A.M.**¹

A. Attendance Required / Notice of Expected Attendees

The parties are **ORDERED** to attend the mediation via video conference. If a party does not have the technological capacity to participate by video, then the party may attend by telephone. If the party is a legal entity rather than an individual, then a representative of the party who is fully authorized to decide all matters pertaining to the case must attend the mediation. If a party requires authority from an insurer to settle, then a representative from the insurance company, with full authority to settle the case, must attend the mediation. On or

¹ If there are any conflicts with this date, the parties are directed to confer and jointly email Chambers at GANDsm_JEM_Chambers@gand.uscourts.gov with three alternative days on which they are available.

before **Wednesday, October 22, 2025**, counsel shall disclose to each other the names of all persons who will be attending the mediation, including a brief description of each person's relationship to the case. Only parties, their counsel, and persons specifically approved by the Court may attend the mediation.

B. Exchange of Settlement Proposals in Advance of Mediation

To expedite the mediation process, the parties are encouraged to exchange specific settlement demands and counterproposals before the mediation. At a minimum, Plaintiff should make an initial, realistic demand – one designed to get settlement discussions moving – no later than **Wednesday, October 22, 2025**.

C. Confidential Mediation Statements and Supporting Documentation

Each party shall send Judge McBath a Confidential Mediation Statement, not to exceed 10 pages double spaced, by **Friday, October 24, 2025**, that includes the following information:

- (1) a list of all persons who will attend the mediation on behalf of the party submitting the statement, along with a brief explanation of each person's connection to the case;
- (2) a list of any persons connected to the opposing party whose attendance might be helpful to a productive session who are not currently scheduled to attend;
- (3) a brief procedural summary of the case, including any discovery or motions that may be needed to resolve the case;
- (4) a description of the disputed issues and evidence expected to be offered at trial;

- (5) the amount of fees and expenses incurred to date by the submitting party, along with a projected budget showing the anticipated fees and expenses necessary to take the case through dispositive motions and trial;
- (6) the expected monetary value of the case if liability is found;
- (7) a summary of the settlement discussions to date and the settlement range that the submitting party believes is reasonable; and
- (8) any special issues that could impede settlement or of which the mediator otherwise should be aware.

The parties should limit their analysis to the value of the case and other issues relevant to settlement. The tone should be civil, and the points should be made succinctly. The statements should be emailed to Judge McBath at

Elizabeth_McBath@gand.uscourts.gov, and to Chambers at

GANDsm_JEM_Chambers@gand.uscourts.gov.

D. Pre-Mediation Zoom Conferences Between Counsel and the Mediator

To expedite the mediation process, Judge McBath will speak with counsel for each side by Zoom prior to the mediation. The conference with Plaintiff's counsel is set for **Tuesday, October 28, at 11:00 AM**, and the conference with Defendant's counsel is set for **Tuesday, October 28, 2025, at 1:00 PM**.

E. Structure of the Mediation

During the pre-mediation conferences, the structure of the mediation will be discussed, including counsel's preferences as to whether an initial joint session would be helpful. The parties shall also be prepared to discuss with Judge McBath the strengths and weaknesses of their respective cases, the latest

settlement proposals, and any settlement proposals that they would be willing to make to conclude the matter.

F. Confidentiality and Prohibition on Recording of the Proceedings

The parties, their representatives, and all other participants in the upcoming mediation are **ORDERED** to keep all communications, negotiations, and statements made during the course of mediation confidential. Recording of any portion of the mediation is strictly prohibited.

CONCLUSION

The Clerk is **DIRECTED** to make the following docket entry:

Order setting case for a video-conference mediation.

This Order contains important information including dates and times for pre-mediation telephone conferences with Judge McBath and deadlines for submitting written mediation statements. The parties are **ORDERED** to read the entire order and to comply with all deadlines and instructions set forth in it.

SO ORDERED August 20, 2025.



J. ELIZABETH McBATH
UNITED STATES MAGISTRATE JUDGE